

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 29, 2018

SEAN F. McAVOY, CLERK

LONNIE M.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:18-CV-3045-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 19. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Franco L. Becia represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 5. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 19**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) will hold a *de novo* hearing, further develop the record as necessary, and issue a new decision. The ALJ shall: (1) reevaluate and further develop the

1 medical evidence of record; (2) reevaluate step two of the sequential evaluation
2 process and determine if Plaintiff's leg edema is a medically determinable
3 impairment; and (3) complete the remaining steps of the sequential evaluation
4 process, as necessary. Plaintiff may present additional testimony and submit
5 additional evidence.

6 2. **Judgment shall be entered for PLAINTIFF.**

7 3. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is
8 **STRICKEN AS MOOT.**

9 5. An application for attorney fees may be filed by separate motion.

10 The District Court Executive is directed to enter this Order, forward copies
11 to counsel, and **CLOSE THE FILE.**

12 DATED October 29, 2018.



A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE